



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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County Counsel

February 5, 2013

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#8 OF FEBRUARY 5, 2013

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Agenda No. 51
08/14/12

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**Re: PROJECT NUMBER R2010-01629-(2)
CONDITIONAL USE PERMIT NUMBER 2010-00150-(2)
HOUSING PERMIT NUMBER 2010-00003-(2)
SECOND SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing on the above-referenced project to authorize the construction of a 55-unit apartment complex with reduced parking for low-income and very-low-income families on property located at 13218 and 13224 Avalon Boulevard in the Willowbrook-Enterprise Zoned District. At the conclusion of the hearing, you indicated an intent to approve the project and instructed our office to prepare findings and conditions for your consideration. Enclosed are findings and conditions for your consideration.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By *Keane*
PATRICIA KEANE
Senior Deputy County Counsel
Property Division

APPROVED AND RELEASED:

Richard D. Weiss
RICHARD D. WEISS
Chief Deputy

PK:vn
Enclosures

HOA.947359.1

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NUMBER R2010-01629-(2)
CONDITIONAL USE PERMIT NUMBER 2010-00150-(2)
HOUSING PERMIT NUMBER 2010-00003-(2)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 2010-00150-(2) ("CUP") and Housing Permit No. 2010-00003-(2) ("Housing Permit") on August 14, 2012. The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP and Housing Permit on June 6, 2012.
2. The permittee, A Community of Friends ("permittee"), requests the CUP to authorize the construction, operation, and maintenance of a 55-unit affordable apartment complex on approximately 1.72 acres in the C-2 (Neighborhood Business) zone ("Project"). The permittee also seeks a discretionary Housing Permit to allow for a density bonus and a reduction in the required number of parking spaces.
3. The Project site is comprised of two parcels located at 13218 and 13224 South Avalon Boulevard in the Willowbrook-Enterprise Zoned District and within the West Rancho Dominguez-Victoria Community Standards District ("CSD"). The Project will be built across both parcels, which will be tied together as a single development site. The Project site is bound by commercial development to the north, multi-family and single-family residences to the south, a public right-of-way for power lines owned by the City of Los Angeles to the east, and South Avalon Boulevard to the west.
4. The CUP is a request to authorize the construction, operation, and maintenance of a 55-unit affordable apartment complex in the C-2 zone. Pursuant to section 22.28.160 of the County Code ("Zoning Code"), apartment houses are allowed in the C-2 zone if a CUP is first obtained.
5. The Housing Permit is a related request to allow for an increase in the number of residential units that would otherwise be allowed pursuant to the Countywide General Plan ("General Plan") land use designation for the Project site and the C-2 zone requirements. Under the Housing Permit the permittee also requests relief from parking requirements. The Project requests an increase from 10 units to 55 units and a reduction in the number of required parking spaces from 103 spaces, a portion of which would be covered, to 62 spaces, all of which would be uncovered.

6. Regional access to the Project site is provided by the Interstate 105 freeway ("I-105") to the north and the Interstate 110 freeway ("I-110") to the west. Immediate access to the Project site is provided by South Avalon Boulevard, a major thoroughfare, to the west.
7. The Project site is approximately 1.72 acres and is divided into two parcels, which are currently developed with four abandoned single-family residences. The existing development will be demolished as part of the Project. The Project site is rectangular in shape and relatively level. A small hill, approximately six feet high, is located on the northeastern portion of the Project site. The Project site is surrounded by developed land in all directions. A 100-foot-wide Los Angeles Department of Water and Power easement, containing transmission lines and a plant nursery, borders the Project site immediately to the east.
8. The permittee's site plan, labeled Exhibit "A," for the CUP depicts one, three-story, 55-unit apartment building that is 35 feet in height and located on the northern portion of the Project site. The building contains 13 one-bedroom units, 22 two-bedroom units, and 20 three-bedroom units surrounding a central atrium and paved plaza. A community room, management offices, restrooms, a first aid station, and a storage area are located within the eastern portion of the building. The apartment building has a building footprint of approximately 27,195 square feet and a total floor area of approximately 55,001 square feet. The site plan also depicts a 62-space paved parking lot, which is approximately 23,494 square feet and is located to the south of the building. The parking lot is accessed via a 15-foot-wide driveway from South Avalon Boulevard to the west. A separate trash enclosure is located on the northwestern corner of the property and is accessed directly from South Avalon Boulevard. The site plan further depicts a children's playground, a sitting patio, an edible garden, and an active recreation area containing exercise equipment located immediately behind the apartment building, on the northeastern portion of the Project site. The apartment building has a minimum front-yard setback of 30 feet, a minimum rear-yard setback of 97 feet, 8 inches, a minimum southern side-yard setback of 51 feet, and a minimum northern side-yard setback of five feet. The site plan also depicts 9,493 square feet of landscaping, which is approximately 12.7 percent of the Project site area.
9. The Project is an affordable housing project, which contains 37 units reserved for very-low-income residents consisting of homeless families and families living with a head of household with a mental illness, 17 units reserved for low-income families, and one unit to be occupied by an on-site manager. The Project also includes ancillary amenities and support facilities, such as a community room, a management office, recreation areas, and a part-time health clinic.
10. The Project site is designated as Category 1 (Low Density Residential-1 to 6 dwelling units per acre) on the General Plan Land Use Policy Map. Category 1 allows primarily small-lot, single-family residences, twin homes, duplexes, and townhouses. The intent of Category 1 is to maintain the character of the existing low-density residential neighborhood and also to provide additional areas to

accommodate future market demand. The Project site is also subject to the Residential Infill policies of the General Plan, which contemplate more concentrated forms of urban development at densities anticipated to exceed the underlying land use designations provided specified criteria are met. The Project site is zoned C-2, which allows for apartment houses with a CUP.

11. The surrounding properties within a 500-foot radius of the Project site are zoned as follows:

North: C-2;
South: C-2, R-1 (Single-Family Residence);
East: R-1; and
West: C-2-CRS (Neighborhood Business-Commercial-Residential) and R-1.
12. Surrounding land uses within a 500-foot radius of the Project site are as follows:

North: Church, warehouses, light industry;
South: 42-unit senior apartment complex, single-family residences;
East: Power transmission lines, plant nursery, single-family residences; and
West: Single-family residences.
13. There were two prior zone change cases pertaining to the Project site. The first case, Zone Change Case No. 6139, established the zoning on the Project site and the adjacent property to the south as M-1 (Light Industrial). That case was approved on February 13, 1953. The second case, Zone Change Case No. 99194, rezoned the Project site and the adjacent parcel to the south to C-2. That case was approved on November 14, 2000.
14. Prior to the Commission's public hearing, the permittee held five community outreach meetings, conducted between January and April 2012. Both support and concerns for the Project were expressed by community members and addressed by the permittee.
15. Prior to the Commission's public hearing, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act ("CEQA"). Based on the Initial Study, staff of the County Department of Regional Planning ("Regional Planning") determined that a Negative Declaration was the appropriate environmental documentation for the Project because the Initial Study concluded that there was no substantial evidence that the Project would result in a significant adverse impact on the environment.
16. On June 6, 2012, a duly-noticed public hearing was held before the Commission. The Commission heard a presentation from staff and testimony from representatives of the permittee and members of the public. Eight speakers testified in favor of the Project, and seven speakers testified in opposition. Correspondence, both in favor of and in opposition to the Project was submitted, including a petition with over 800 signatures in opposition to the Project. There

being no further testimony, the Commission closed the public hearing and adopted the Negative Declaration for the Project and approved the CUP and Housing Permit. Pursuant to section 22.60.230.A of the Zoning Code, on June 20, 2012, the Friends and Neighbors Community Club appealed the Commission's decision to the Board.

17. On August 14, 2012, the Board conducted a duly-noticed public hearing on the Project. The Board heard a presentation from Regional Planning staff. The permittee and the permittee's representatives testified in support of the Project, and the Board also heard testimony from members of the community supporting the Project. Additionally, the Board heard testimony from the appellants and from community members who expressed opposition to or concerns about the Project. The opponents' primary areas of concern included the density of the Project and the Project's potential effects on community infrastructure, including Sheriff's services and local schools. The community also expressed concerns about parking, crime, and safety issues related to the Project, as well as the construction of affordable housing developments in the surrounding area. There being no further testimony, the Board closed the public hearing, adopted the Negative Declaration for the Project, and indicated its intent to approve the CUP and the Housing Permit.
18. The Board finds that the Project is consistent with the goals and policies of the General Plan. The General Plan Land Use Element supports residential infill projects, more concentrated residential development in urbanized areas, development of low-income and moderate-income housing, as well as the provision of housing for those with special needs or disabilities. In relevant part, the General Plan Land Use Element policies state that the General Plan "strongly supports the provisions of critically needed low and moderate income housing. In support of this policy emphasis, the Plan proposes the development and application of density bonus and other programs designed to stimulate production of such housing by both the public and private sectors." (General Plan Land Use Element, pg. III-32.) For projects that meet the General Plan Residential Infill criteria, the General Plan contemplates that such projects may be developed at densities that exceed those established by the underlying land use designation for the subject property. The Residential Infill policy states that "new residential development within existing urban areas, not covered by a more detailed community or area-wide plan, may be permitted at densities exceeding those depicted on the Land Use Policy Map," provided the project is consistent with the infill criteria. (General Plan Land Use Element, pg. III-31.) The Project meets these criteria. As detailed in these findings, the Project will not disrupt sound residential neighborhoods and will not adversely affect the character of the established community. The Project site is sufficient in size to accommodate the design features necessary to ensure compatibility with surrounding uses. The Project will not overburden existing public services and facilities. The Project will not disrupt or adversely impact local traffic and parking conditions. Additionally, the compatibility of the Project with surrounding uses, in terms of scale, intensity, and design, is ensured through the CUP process and the conditions of approval.

19. The Project provides housing in support of the County's Regional Housing Needs Assessment obligation and meets General Plan goals of providing critically needed low-income housing through the application of an affordable housing density bonus. Pursuant to the provisions of Chapter 22.56, Part 18 of the Zoning Code and consistent with General Plan policies, projects proposing 100 percent affordable housing are eligible for density bonuses of more than 50 percent through the approval of a discretionary housing permit. The requested discretionary Housing Permit allows the development of 55 dwelling units on the Project site, which constitutes a density bonus of 550 percent of the original allowance for development on the site. The Project is well designed, and the Project site is adequately suited to accommodate the number of units proposed. The Project site is bordered on the north by commercial development and on the south by a senior housing development, constructed at a generally comparable density of 24.7 dwelling units per acre, as compared with the Project's density of 32 dwelling units per acre. The Project is designed to provide affordable housing and supportive services for currently homeless and very-low-income families whose head of household are living with a mental illness as well as housing for other low-income families. The Board finds that the housing needs of the area were considered and balanced against the public service needs of the local residents and available fiscal and environmental resources. The density is necessary to enable the Project to reach an economy of scale that balances the public funding and subsidies available to the Project with the projected construction costs, as well as the Project's rental income with the projected annual operating expenses. Therefore, the density bonus contributes to maintaining the affordability of the Project.
20. The Board finds the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare. The Project will redevelop an underutilized site that is currently developed with abandoned structures that create a blighted condition in the neighborhood. The Project will provide quality permanent supportive housing for low-income households, including currently homeless individuals living with mental illness. The Project will improve the blighted conditions on the Project site, and will bring both construction and permanent jobs to the neighborhood. The Project was adjusted in response to community concerns that were expressed during the permittee's community outreach efforts and is designed to ensure that the development is integrated into the surrounding community. The Project conditions of approval will ensure that the site is maintained in a manner that is not detrimental to the neighborhood, including a condition of approval that requires removal of graffiti within 24 hours of occurrence.
21. The Board finds that the proposed project would provide much needed low-income and supportive housing for a chronically underserved community. Residents of the facility would have access to recreational amenities, counseling,

and a part-time medical clinic, as well as classes and tutoring. The Project site would also have secured entry and an on-site manager would be available day and night to address concerns. The Project would also serve the surrounding community, as the permittee has policies, as well as certain federal and State obligations, regarding recruiting construction workers, tenants, and permanent employees from the local area.

22. The Board finds that the Project site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping, and other development features as is required in order to integrate the Project into the surrounding area. The Project is consistent with applicable development standards in the C-2 zone. For Projects located in the C-2 zone, section 22.28.170 of the Zoning Code requires that no more than 90 percent of the net area of any site be occupied by buildings, and no less than 10 percent of said area shall be landscaped. The Project complies with these standards, as the building footprint of 27,195 square feet is only 36.3 percent of the Project site's net area, and 9,493 square feet of landscaping would also be provided, which is 12.7 percent of the Project site's net area. The C-2 zone also mandates that a building or structure shall not exceed a height of 35 feet above grade. The proposed apartment building would also comply with this standard, as it has a maximum height of 35 feet. The Project has also been reviewed and cleared by the Departments of Fire, Public Health, Parks and Recreation, and Public Works, which state that the Project site's existing infrastructure and public safety response resources are adequate to absorb the density proposed for the Project, provided that the required conditions are met.
23. The Board finds that the amount of parking provided will adequately serve the Project. Section 22.52.1180 of the Zoning Code establishes parking requirements for apartment houses. Under applicable Zoning Code provisions, an apartment complex would typically require 1.5 covered parking spaces for each one-bedroom unit, and 1.5 covered parking spaces plus one-half uncovered parking space for each unit with two or more bedrooms. The 55-unit Project, therefore, would require a total of 82 covered parking spaces and 21 uncovered parking spaces under standard parking requirements. However, because the Project includes affordable housing, the permittee is entitled to incentives and concessions from established development standards. The Project includes 62 uncovered parking spaces on the Project site, which is 40 percent less than the required parking. A 40-percent reduction in parking is available through the "off-menu" incentive process allowed in the Housing Permit. The requested "off-menu" parking incentive is necessary to keep the housing set-aside affordable. Without the reduced parking, the permittee would need to eliminate some of the outdoor recreational amenity areas to provide for more surface parking. Providing subterranean parking for the Project would render it financially infeasible. The permittee currently manages 33 other affordable, multi-family housing complexes in Los Angeles and Orange counties that serve similar populations and provide parking in similar ratios. The parking ratio for the Project, which is consistent with the parking ratios provided at the permittee's

other facilities, allows for sufficient parking to serve the Project without creating any impacts for the Project or the surrounding neighborhood. Additionally, the Project provides parking at a ratio that is comparable to the 42-unit senior housing development on the property located immediately adjacent to the south of the Project site. Based on this information, the Project provides an adequate number of on-site parking spaces.

24. The Board finds that the Project is consistent with the applicable provisions of the CSD. The CSD requires that all walls remain free of graffiti, and that all graffiti be removed or covered within 72 hours of occurrence. As a condition of approval, the permittee shall remove all graffiti within 24 hours of the graffiti becoming visible. The Project, therefore, would comply with the requirements in the CSD. The CSD does not contain any other provisions that are applicable to the Project.
25. The Board finds that the Project site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required. The Project is located on Avalon Boulevard, a commercial corridor that is served by major bus routes. Regional access to the Project site is provided by the I-105 to the north and the I-110 to the west. The Project site is also served by all necessary utilities.
26. The Board finds that the Project at the location proposed has been designed to be complimentary to the surrounding area in terms of land use patterns and design. The Project locates residential development less than one-half mile from Willowbrook Park, a large regional recreation area. The Project is bordered on the north by large-scale commercial development, and provides a transition from such commercial development to the residential uses located to the south of the Project site. The Project is designed at a density that is generally consistent with the density of the senior housing development adjacent to the Project site to the south. The surrounding area includes a combination of residential, commercial, and industrial uses. Adjacent residential properties across Avalon Boulevard are zoned C-2-CRS, a zoning designation that encourages combining residential and commercial uses "in order to provide additional opportunities for housing development and to reduce transportation costs, energy consumption and air pollution," according to the intent of the CRS zone as noted in section 22.40.540 of the Zoning Code. As such, the Project, which incorporates residential uses and supportive services along with recreational and other amenities for its residents, is designed to integrate into the neighborhood and be complimentary to the surrounding land uses.
27. The Board finds that the Project will assist in satisfying housing needs in the area and that the Project is viable in terms of continuing availability to meet such housing needs. The permittee has a proven history of building and operating similar well-managed facilities throughout the region. The Project has been designed and located in a manner that will allow it to be economically viable.

28. The Board finds that the permittee's requests for waivers or modifications to development standards are necessary to make the housing units economically feasible. The Project includes a density bonus to allow for additional dwelling units on the Project site as well as a reduction in the amount of parking required for such units. The density bonus enables the Project to reach an economy of scale that balances the public funding and subsidies available to the Project with the projected construction costs, as well as the Project's rental income with the projected annual operating expenses. The reduction in required parking enables the Project to provide an amount of parking that is consistent with the parking utilization rates for such types of facilities. The relief from parking standards also allows the Project to provide a wider range of on-site amenities for Project residents, which contributes to an overall better Project design and enables the Project to be integrated more fully into the community.
29. The Board finds that pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was properly notified of the public hearing by mail, newspaper advertising, and on-site property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Project site. On July 5, 2012, a total of 149 Notices of Public Hearing and Intent to Adopt a Negative Declaration were mailed to all property owners as identified on the current County Assessor's record within a 500-foot radius from the Project Site, as well as on the courtesy mailing list for the Willowbrook-Enterprise Zoned District and to any additional interested parties. The Project site was posted and notification of the Board's public hearing was published in a newspaper of general circulation on July 11, 2012.
30. The Board finds that the Negative Declaration for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Board finds that on the basis of the whole record before it, including any comments received during the public hearing process, that there is no substantial evidence the Project will have a significant effect on the environment and that the Negative Declaration reflects the independent judgment and analysis of the Board.
31. The location of documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES THAT:

Regarding the Conditional Use Permit:

- A. The proposed use is consistent with the adopted General Plan.
- B. The requested use at the location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping, and other development features as is required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required.

Regarding the Housing Permit:

- A. The proposed use will be consistent with the adopted General Plan.
- B. The requested use at the location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; or jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The proposed project at the location proposed has been designed to be complimentary to the surrounding area in terms of land use patterns and design.
- F. The proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs.
- G. The requests for waivers or modifications to development standards are necessary to make the housing units economically feasible.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Certifies that the Negative Declaration was completed in compliance with the California Environmental Quality Act and the State and County Guidelines related thereto; certifies that it independently reviewed and considered the Negative Declaration and that it reflects the independent judgment and analysis of the Board as to the environmental consequences of the Project; finds that on the basis of the whole record before the Board that there is no substantial evidence the Project will have a significant effect on the environment;
2. Certifies that it adopted the Negative Declaration at the conclusion of the public hearing on the Project; and
3. Approves Conditional Use Permit No. 2010-00150-(2) and Housing Permit No. 2010-00003-(2), subject to the attached conditions.

**CONDITIONS OF APPROVAL
PROJECT NO. R2010-01629-(2)
CONDITIONAL USE PERMIT NO. 2010-00150-(2)
HOUSING PERMIT NO. 2010-00003-(2)**

1. This grant authorizes the construction, operation, and maintenance of a 55-unit, 100-percent affordable housing apartment complex in the C-2 (Neighborhood Business) zone ("Project"). This grant also authorizes a discretionary housing permit to allow for a density bonus and a reduction in the required number of parking spaces. This grant authorizes an increase in the number of residential units that would be allowed pursuant to the Countywide General Plan ("General Plan") land use designation and the C-2 zone from 10 units to 55 units, and authorizes a reduction in the number of required parking spaces from 103 spaces to 62 spaces. The project is approved as depicted on the approved Exhibit "A," subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
3. Unless otherwise apparent from the context, the date of "final approval" of the grant shall mean the date the grant becomes effective pursuant to section 22.60.260 of the Los Angeles County Code ("County Code").
4. This grant shall not be effective for any purpose and cannot be used until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the County Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 5, and until all required fees have been paid pursuant to Condition Nos. 11 and 12, and the covenant as required by Condition No. 33 has been recorded. Notwithstanding the foregoing, this Condition No. 4, and Condition Nos. 6, 7, 8, and 11 shall be effective immediately upon the date of final approval of this grant by the County.
5. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property. Upon recordation, an official copy of the recorded terms and conditions shall be provided to the Director of Regional Planning ("Director").

6. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable statute of limitations period. The County shall notify the permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense. If the County fails to notify the permittee of any claim, action, or proceeding, or if the County fails to reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
7. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with section 2.170.010 of the County Code.
8. This grant shall expire unless used within two years from the date of final approval of the grant by the County. A single, one-year time extension may be requested, in writing and with payment of the applicable fee, before the expiration date.
9. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the County Regional Planning Commission or a County hearing officer may, after conducting a public hearing, revoke or modify this grant if it is found that these conditions have been violated, that this grant has been exercised so as to be detrimental to the public health or safety, or so as to be a nuisance, or pursuant to any of the other grounds set forth in Chapter 22.56, Part 13 of the County Code. In the event the County

deems it necessary to initiate such proceedings pursuant to Chapter 22.56, Part 13 of the County Code, the permittee shall compensate the County for all the costs incurred in such proceedings.

11. Within three days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination ("NOD") for this Project and its entitlements in compliance with section 21152 of the California Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to section 711.4 of the California Fish and Game Code, the permittee shall pay the fee in effect at the time of the filing of the NOD, as provided for in section 711.4, which is currently \$2,231.25 (\$2,156.25 for a Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested, or operative until the fee is paid.
12. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. Prior to the use of this grant, the permittee shall deposit with the County the sum of \$400.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including inspecting the permittee's adherence to development in accordance with the approved site plan on file at Regional Planning. The fund provides for two inspections following this grant, one of which shall take place three years after the date of final approval, and the second to take place five years after the date of final approval. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

13. The Project shall be developed and maintained in substantial compliance with the approved site plan, landscape plan, and any other applicable plans kept on file at Regional Planning, collectively marked "Exhibit A." If changes to the site plan are required as a result of instruction given at the public hearing, a revised Exhibit "A" shall be submitted to Regional Planning within 60 days of the date of

final approval of the CUP. In the event that subsequent revised plans are submitted, the permittee shall submit the number of copies required by Regional Planning at the time of submittal of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) for such revision.

14. All development shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, or as shown on the approved Exhibit "A" or a Revised Exhibit "A" approved by the Director.
15. The permittee shall comply with all conditions and requirements contained in the Environmental Health Division of the County Department of Public Health letter dated August 18, 2011, attached hereto and incorporated herein by reference, except as otherwise required by said department.
16. The permittee shall comply with all conditions and requirements contained in the County Fire Department letter dated March 14, 2012, attached hereto and incorporated herein by reference, except as otherwise required by said department.
17. The permittee shall comply with all conditions and requirements contained in the County Department of Public Works letter dated March 22, 2012, attached hereto and incorporated herein by reference, except as otherwise required by said department.
18. Except for seasonal decorations or signage provided by or for a civic non-profit organization, all structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage that do not directly relate to the use of the property or provide pertinent information about said premises. In the event any such extraneous markings become visible, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of their visibility, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
19. The permittee shall keep and maintain all areas of the Project site in a neat and orderly fashion, free of litter, debris, overgrown weeds, junk, and garbage.
20. All roof-top mechanical equipment on-site, including, but not limited to, air conditioning units, shall be screened from public view.

PROJECT SPECIFIC CONDITIONS

21. In order to decrease the effects of noise from Avalon Boulevard and adjacent properties, the permittee shall install and maintain windows rated "STC 28," or an equivalent product as determined by the Environmental Health Division of the County Department of Public Health, in those dwelling units identified as numbers 13, 33, 35, 53, and 55 on the approved Exhibit "A." Mechanical

ventilation shall also be required for these units. Any other type of dual glazed windows shall be installed and maintained in all other dwelling units and community areas in the Project.

22. The permittee shall maintain a minimum of 62 parking spaces on the Project site, which spaces may be uncovered, unless this number is reduced by the Director pursuant to the procedures specified in Condition No. 32. Parking spaces shall be developed to the specifications set forth in section 22.52.1060 of the County Code. Such spaces shall be continually available for automobile parking.
23. A maximum of 55 dwelling units may be constructed, operated, and maintained on the Project site. Of these, the permittee may maintain up to a maximum of 20 three-bedroom units, and the combined total of two-bedroom and three-bedroom units shall not exceed 42. One of the 55 units shall be reserved for and occupied by an on-site manager or other on-site staff member who is available to respond to the needs and concerns of the tenants and area residents. All dwelling units, with the exception of the manager's unit, shall be deed restricted as affordable for low-income and very-low-income residents, as defined annually by Regional Planning in consultation with the California Department of Housing and Community Development.
24. A full-time property manager shall reside on-site, or, as an alternative, a property manager shall be present on-site during the day, and an additional "keyholder," who shall be a staff member, shall reside on-site at night and shall be available to respond to the needs and concerns of tenants and area residents.
25. A minimum of 10 percent of the net Project site shall be landscaped. Within 60 days after the date of final approval of this grant, the permittee shall submit a landscaping plan that demonstrates compliance with the Los Angeles County Drought Tolerant Landscaping requirements (Title 22, Chapter 22.52, Part 21 of the County Code), to the satisfaction of the Director in consultation with the staff biologist of said department.
26. Outdoor lighting shall be installed and maintained in the uncovered parking areas. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the parking premises. Said lighting and glare shall be shielded, shaded, and/or focused away from all adjoining properties.
27. The permittee shall install and maintain secured entry to the facility, for both automobiles and pedestrians, in the form of limited access gates and/or doors. Such gates and/or doors shall be accessible via keycard (or similar device), remote control, numeric code, or interior buzzer. All gates and/or doors shall conform to Fire Department emergency access requirements.

28. The permittee shall install and maintain a video surveillance system on the Project site, which shall be available for monitoring 24 hours a day, and recordings shall be maintained for a minimum of 14 days. Any suspicious or potentially illegal activities observed shall be immediately reported to the proper legal authorities, and recordings of such activities shall be immediately made available to these authorities upon request.
29. All on-site amenities, including, but not limited to, the community room, the laundry room, and the exercise and play equipment, as well as all on-site services, including, but not limited to, counseling, tutoring, and health care, shall be restricted to the exclusive use of the manager, tenants, and authorized guests of the Project and shall not be operated between the hours of 10:00 p.m. and 6:00 a.m.
30. In order to ensure on-going maintenance and appropriate aesthetics of the Project, the permittee shall use stonework, either real or a satisfactory imitation, or a similar durable material, as approved by the Director, on all exterior walls of the Project that face publicly accessible areas and/or that front on Avalon Boulevard. The stonework shall extend from ground level to a minimum height of three feet above ground level.
31. As agreed to by the permittee, all parking areas shall be developed and maintained with permeable pavement to the satisfaction of the Director.
32. No sooner than one year after the commencement of Project operations, the permittee may apply for a Revised Exhibit "A" to replace up to six parking spaces (those spaces numbered 54 through 59 on the approved Exhibit "A" and located near the eastern boundary of the property) with active or passive open space. This application shall be accompanied by a parking study and photographs documenting the number of unoccupied parking spaces on the Project site at 7:00 a.m., 12:00 p.m., and 7:00 p.m., over the course of a one-week period that is representative of typical Project operations. The Director may approve this application if the Director determines that the resulting design would not result in inadequate on-site parking. In making this determination, the Director shall also consider the written concerns, if any, expressed by area residents regarding neighborhood street parking.
33. The permittee shall record a "Covenant to Hold Properties as One" ("lot tie" covenant), in a form satisfactory to Regional Planning, prior to the effective date of this grant.

Attachments:

Public Health Letter dated August 18, 2011
Fire Department Letter dated March 14, 2012
Public Works' Letter dated March 22, 2012



COUNTY OF LOS ANGELES

Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

KENNETH MURRAY, REHS
Director of Environmental Protection Bureau

PATRICK NEJADIAN, REHS
Chief EHS, Land Use Program

KEN HABARADAS, M.S., REHS
Environmental Health Staff Specialist
Land Use Program
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5382 • FAX (626) 960-2740

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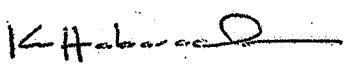
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Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

August 18, 2011

TO: Anita Gutierrez
Planner
Zoning Permits East Section
Department of Regional Planning

FROM: Ken Habaradas, M.S., REHS 
Environmental Health Division
Department of Public Health

SUBJECT: PROJECT NO. R2010-01629-(2)
RCUP 201000150
LOCATION: 13218 – 13224 S. AVALON BLVD., LOS ANGELES

The Department of Public Health – Environmental Health Division has reviewed the information provided for the project identified above. The proposed project is a request for CUP and Discretionary Housing Permit to allow for the development of a 55-unit affordable housing unit with community hall, children's play area and a basketball court.

After reviewing the sections of the Initial Study pertaining to noise, water supply, and sewage disposal, the Department has determined that the project could not have a significant impact on the environment. Therefore, the Department has no objection to the preparation of a Negative Declaration for this project.

Attached are comments prepared by staff from the Department's Toxicology and Epidemiology with regard to potential noise impacts on the proposed project from surrounding properties.

If you should have any questions regarding the attached comments, please contact Robert Vasquez at (213) 738-4596.

KH:kh

COUNTY OF LOS ANGELES ♦ DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH ♦ TOXICS EPIDEMIOLOGY PROGRAM
695 S. VERMONT AVE., SOUTH TOWER, 14TH FLOOR, LOS ANGELES, CA 90005

Date: August 17, 2011

Project No. R2010-01629

Page 1 of 1

Location: 13218-13224 Avalon Blvd, Los Angeles

CUP No. 201000150

The Initial Study has been reviewed and a site visit was conducted at the proposed project site. There may be significant noise impact on the proposed project (prospective residents) from surrounding properties as follows:

1. Based on the type of land-use, the chapel and denim manufacturing facility located next to the north property line may intermittently impact the proposed residential units facing the north property line.
2. Noise from vehicular traffic along Avalon Blvd. may impact proposed units facing Avalon Blvd.

The noise impacts associated with the project on surrounding properties are less than significant with standard mitigation measures during construction and/or adherence with Title 12 of the Noise Control Ordinance.

An acoustical study should be conducted to assess the potential noise impacts from surrounding properties on the subject project. The acoustical study should be conducted by a professional noise consultant to include, but not be limited to, the following:

1. Traffic noise analysis
2. Operational and environmental noise impacts
3. Construction noise impacts
4. Compliance with Title 12, Los Angeles County Noise Control Ordinance and other applicable noise regulations
5. Mitigation measures

The acoustical study should be submitted to the Toxics Epidemiology Program for review and comment. The project shall comply with the requirements contained in Title 12, Los Angeles County Noise Control Ordinance.

For questions regarding the above comments, please contact Robert Vasquez at (213) 738-4596.



COUNTY OF LOS ANGELES FIRE DEPARTMENT

Fire Prevention Division
Land Development Unit
5823 Rickenbacker Road
Commerce, California 90040-3027
Office (323) 890-4243 Fax (323) 890-9783

DATE: March 14, 2012

SITE PLAN DATE: February 16, 2012

TO: Department of Regional Planning
Zoning Permits

PROJECT #: CUP R2010-01629

LOCATION: 13218/13214 Avalon Blvd

- ☐ The Fire Department Land Development Unit has no additional requirements for this permit.
- ☒ The required **public** fire flow for this development is 2125 gallons per minute for 2 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- ☒ The required **private** fire flow for this development is 1250 gallons per minute for 1 hours. The private water main must be capable of delivering this flow at 20 psi residual pressure.
- ☒ All fire hydrants shall be 6" X 4" X 2 1/2" and conform to AWWA C503-75 or approved equal standard. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Install 1 public fire hydrant(s).
Install 1 private on-site fire hydrant(s).
- ☒ **Water:** - Per the fire flow test performed by Golden State Water Company dated 08-08-11, the public water system meets the required fire flow requirements.
- Due to the location and spacing of the public fire hydrants along the lot frontage, a public fire hydrant is required as indicated on the site plan.
- Due to the depth of the lot, a private fire hydrant is required on site as indicated on the site plan.
- ☒ **Access:** The existing access as shown on the site plan complies with the Fire Department requirements.
- ☒ **Conditions for Approval:** - The proposed entry gate shall comply with the Fire Department's Regulation 5.
- All required fire hydrants shall be installed and tested prior to construction.
- The required private fire hydrant shall be incorporated into the fire sprinkler plans and submitted to the Fire Department for review and approval.
- Submit architectural plans to the Fire Department for review and approval prior to building permit issuance.
- ☒ **Comments:** The Fire Department recommends approval of this permit as presently submitted.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: JanC.Palla



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>


ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: LD-1

March 22, 2012

TO: Mi Kim
Zoning Permits West Section
Department of Regional Planning

Attention Anita Gutierrez

FROM:  Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201000150
PROJECT NO. R2010-01629
13218 THROUGH 13224 SOUTH AVALON BOULEVARD
ASSESSOR'S MAP BOOK NO. 6134, PAGE 1, PARCEL NOS. 11 AND 12
UNINCORPORATED COUNTY AREA OF WILLOWBROOK

- ☒ Public Works recommends approval of this CUP.
- ☐ Public Works does **NOT** recommend approval of this CUP.

We reviewed the revised site plan dated February 15, 2012 for CUP No. 201000150 in the unincorporated County area of Willowbrook. The project is to authorize the construction of a 54-unit apartment complex for low-income families in a C-2 Zone.

Upon approval of the site plan, we recommend the following conditions:

1. Road
 - 1.1 Construct driveway approaches to the site on Avalon Boulevard to comply with current Americans with Disabilities Act guidelines and to the satisfaction of Public Works. Relocate any affected utilities/catch and basins obstructing the driveway.

- 1.2 Close all unused driveways with curb, gutter, and sidewalk to the satisfaction of Public Works.
- 1.3 Repair any improvements damaged during construction to the satisfaction of Public Works.
- 1.4 Plant street trees on Avalon Boulevard along property frontage. Existing trees in dedicated right of way shall be removed and replaced if not acceptable as street trees.
- 1.5 Acquire street improvement plan approval or direct check status before obtaining a grading permit or building permit, whichever comes first.
- 1.6 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road conditions, please contact Julian Garcia at (626) 458-4921 or jgarcia@dpw.lacounty.gov.

2. Grading

- 2.1 Submit a grading/drainage plan for approval. The grading plans must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, and the Standard Urban Stormwater Mitigation Plan devices, if applicable. The applicant is required to show and call out all existing easements on the grading plan and obtain the easement holder approvals.

For questions regarding the grading conditions, please contact Julian Garcia at (626) 458-4921 or jgarcia@dpw.lacounty.gov.

3. Street Lighting

- 3.1 Provide street lights on concrete poles with underground wiring along the property frontage on Avalon Boulevard to the satisfaction of Public Works. Submit street lighting plans along with existing and/or proposed underground utility plans as soon as possible to Public Works' Traffic and Lighting Division, Street Lighting Section, to allow the maximum time for processing and approval.

- 3.2 The applicant shall comply with the conditions of acceptance listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights. It is the sole responsibility of the owner of the project to have all street lighting plans approved prior to the issuance of a building permit or road improvements permits, whichever occurs first. The required street lighting improvements shall be the sole responsibility of the owner of the project, and the installation must be accepted by the Lighting District per approved plans prior to issuance of a Certificate of Occupancy.

Conditions of Acceptance for Street Light Transfer of Billing:

All street lights in the project, or the approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete set of As-built plans. Provided the above conditions are met, the lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year provided all street lights in the project, or approved project phase, have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met. The lighting district cannot pay for the operation and maintenance of street lights within gated communities.

For questions regarding the street lighting conditions, please contact Arnel Dulay at (626) 300-4754 or adulay@dpw.lacounty.gov.

4. Soils and Geology

- 4.1. A soils engineering report may be required prior to approval of building or grading plans.

For questions regarding the soils and geology condition, please contact Jeremy Wan at (626) 458-4925 or jwan@dpw.lacounty.gov.

5. Drainage

- 5.1 Prior to grading permit, comply with the requirements of the drainage concept, hydrology study, Standard Urban Stormwater Mitigation Plan (SUSMP) and Low-Impact Development plan (LID), which was approved on February 7, 2012, to the satisfaction of Public Works.

- 5.2 Prior to grading permit, obtain and record a notarized drainage covenants, in a form approved by Public Works from all impacted offsite property owners, as determined by Public Works. By acceptance of this condition, the applicant acknowledges and agrees that this condition does not require or otherwise involve the construction or installation of an offsite improvement, and that the offsite drainage covenants reference above do not constitute an offsite easement, license, title, or interest in favor of the County. Therefore, the applicant acknowledges and agrees that the provisions of Government Code Section 66462.5 do not apply to this condition and that the County shall have no duty or obligation to acquire by negotiation or by eminent domain any land or any interest in any land in connection with this condition.

For questions regarding the drainage conditions, please contact Julian Garcia at (626) 458-4921 or jugarcia@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or rcruz@dpw.lacounty.gov.

RC:ca

P:\ldpub\SUBMGTCUP\Proj R2010-01629 CUP201000150 13218-13224 S Avalon BI APN 6134-001-011 final.docx